

## PURPOSE

The Human Rights Ordinance states that it is the public policy of the City of Columbus **to provide all of its citizens equal opportunity** and that it is unlawful to discriminate in the areas of employment, housing, education, public accommodation or credit on the basis of:

- race
- religion
- color
- sex
- disability
- national origin or ancestry
- familial status (in housing)

## PROCESS

A complaint of discrimination is not a lawsuit. All complaints are fully investigated and the position of each side is given thorough consideration and serious attention by the Human Rights Commission. The Commission does not represent either side, and will investigate the complaint in a fair and impartial manner. At all times, the burden of proof rests with the Complainant to show that discrimination occurred. At the close of the investigation, a finding will be made in favor of either the Complainant or the Respondent. At any time in the process, the two sides may reach a settlement through mediation

## I. INVESTIGATION

After the complaint is filed, the investigator will **collect** and **summarize** the facts. He or she must collect the BEST evidence available for each side. Thus you may be asked to supply documents which support your position. The investigator may seek information to compare the treatment given the Complainant to treatment given to others similarly situated. Your lawyer is welcome to participate in the investigation, but a lawyer is not required.

## II. DETERMINATION BY THE CHAIRPERSON AND DIRECTOR

After the investigation is finished, the investigator presents the facts and recommendations to the Chairperson and Director, who **review the material** and **make a determination** of Probable Cause or No Probable Cause that an illegal act of discrimination did occur. The Complainant has fifteen (15) days to ask for reconsideration of a No Probable Cause finding is determined by the Commission.

A finding of Probable Cause is not the final decision. It is a finding that a discriminatory act may have been committed. If a decision of Probable Cause is made, both sides are given the chance through negotiations to find a solution that both parties find satisfactory.

## III. CONCILIATION

If Probable Cause is found in a case, a **formal attempt at resolving** the case will be made. The parties are given the chance to compromise their differences with negotiations through a Commissioner. This process is called conciliation. The type and amount of damages available to the Complainant depend on the type of case. Only in housing cases may punitive damages be awarded. If the Respondent proposes a Conciliation Agreement, which the Commission feels is satisfactory, the Complainant will be notified, and will have ten (10) days after that notice to sign the proposed Agreement. If at the end of the ten (10) days the Complainant has not signed the proposed Conciliation Agreement, the complaint will be dismissed. If a settlement is achieved, a written Conciliation Agreement will be issued for signatures by all parties. Once approved, a Conciliation Agreement has the same effect as a Final Order.

## IV. PUBLIC HEARING

If conciliation fails, the case is heard at a **formal public hearing**. The burden of proof is on the Complainant. A designated Hearing Officer presides at the Public Hearing.

## V. FINAL ORDER

A Final Order by the Commission **is binding**. Either party may seek judicial review within fifteen (15) days.

## VI. REMEDIES

If the Commission finds discrimination, a Final Order may include a cease and desist order and require further remedies that will eliminate discrimination. This might include reinstatement to a job, monetary relief where evidence showed that there was some resulting loss, making a house or apartment available and validating selection devices.

## CASES UNDER THE RULES & REGULATIONS

Through its Rules and Regulations sections II, III, & IV, the Human Rights Commission prohibits discrimination on the basis of

- age
- sexual orientation
- gender identity

in the areas of employment, housing, education, public accommodation or credit. Age, Sexual Orientation and/or Gender Identity complaints are processed through the Commission's Voluntary Mediation Program. (See section II (W) under the Commission's Rules and Regulations)

## COMPLAINANT'S RIGHTS AND RESPONSIBILITIES

### YOU HAVE THE RIGHT:

- To know the status of your case, and who is working on it.
- To have written notice of any hearing or final action relating to your case.
- To have an attorney present at any stage of the process.
- To file and pursue a charge without being harassed, intimidated or retaliated against.
- To obtain a full remedy, if discrimination is found.
- To appeal any final decision of cases filed under the HRC ordinance which you don't approve.

### YOU HAVE A RESPONSIBILITY:

- To supply and explain all relevant information, data, or papers to the investigator, upon request.
- To answer all telephone or mail inquiries from the Commission. Your case may be dismissed if you don't. These will be as convenient and as infrequent as possible.
- To attend all meetings and hearings. We will try to accommodate your schedule if we can.
- To follow your case: Keep in touch; leave us all new addresses or phone changes, inquire if there are undue delays.

## RESPONDENT'S RIGHTS AND RESPONSIBILITIES [Under CHRC Ordinance]

### IF A CHARGE IS FILED, YOU HAVE A RIGHT:

- To have a clear, coherent written statement of the charge.
- To know the status of your case and who is working on it.
- To have written notice of any hearing or final action.
- To appeal any final decision.
- To have an attorney present at any stage, if you so desire.

### YOU HAVE A RESPONSIBILITY:

- To supply and explain all relevant information, data, or papers to the investigator upon request.
- To answer all telephone or mail inquiries from the Commission. These will be as convenient and infrequent as possible.
- To attend all meetings and hearings. We will try to accommodate your schedule if we can.

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**COLUMBUS HUMAN RIGHTS COMMISSION**  
*VALUING DIVERSITY AND PROMOTING  
EQUALITY SINCE 1962*

### Our Mission:

- ENFORCING THE HUMAN RIGHTS ORDINANCE
- EDUCATING THE PUBLIC
- CHALLENGING ATTITUDES AND SYSTEMS THAT CREATE BARRIERS TO EQUALITY
- EMPOWERING COMMUNITY MEMBERS TO ADVANCE THIS MISSION

# COLUMBUS HUMAN RIGHTS COMMISSION

*FOSTERS EQUAL  
OPPORTUNITY IN*

- **EMPLOYMENT**
- **HOUSING**
- **EDUCATION**
- **CREDIT**
- **PUBLIC ACCOMMODATION**



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